

REMARKS

Claims 1, 3, 4, 6, 7, 9-14 and 16-26 are pending. New independent claim 26 has been added, support for which can found throughout the specification including, among other places, page 5, line 6 to page 7, line 11. Applicant respectfully requests reconsideration of the application in response to the non-final Office Action.

Rejection Under 35 U.S.C. §101

Claim 23 has been rejected under 35 U.S.C. §101 for allegedly being non-statutory because the specification does not define "computer readable medium" as including tangible media such as a physical storage device. Applicant respectfully traverses.

Again, Applicant submits that even if the "computer readable medium" recited in claim 23 encompasses intangible media (e.g., signals, carrier waves, transmissions, optical waves, etc.), 35 U.S.C. §101 does not prohibit such media, and the Office has not provided additional support for this rejection, further to Applicant's request in the Amendment filed on February 20, 2007. (See, MPEP §707.07(f), providing that "[w]here the applicant traverses any rejection, the examiner should, if he or she repeats the rejection, take note of the applicant's argument and answer the substance of it"). Accordingly for at least these reasons, Applicant submits that claim 23 recites statutory subject matter and respectfully requests that the rejection of claim 23 under 35 U.S.C. § 101 be withdrawn.

Rejection Under 35 U.S.C. §102(e)

Claims 1, 3, 4, 6, 7, 9-14 and 16-23 have been rejected under 35 U.S.C. §102(e) as allegedly being unpatentable over U.S. Patent No. 6,628,310 to Hiura, et al. ("Hiura"). Applicant respectfully traverses.

Independent claim 1 recites:

A method for providing a transition between two or more graphical user interface (GUI) elements comprising the steps of:

detecting a change between active applications running on a computer from a first application to a second application;

replacing a first GUI element associated with the first application that is displayed on a computer display with a second GUI element associated with the second application; and

in response to detecting the change between active applications, providing visual notification of the change between active applications by rendering animation graphics to animate a transition between display of the first and second GUI elements, wherein the animated transition aids user recognition of differences between the first GUI element and the second GUI element.

Applicant submits that because Hiura does not teach each and every element of claim 1, Hiura does not anticipate claim 1. (MPEP §2131).

Hiura describes a method, in a multi-windows computer system, of turning over a window that is laid over another window in order to peek at the content of the window that is laid under the window in a pseudo-three dimensional manner. (Hiura at col. 1, line 66 to col. 2, line 4). The method includes the steps of: (a) selecting a first window from the multi-windows by placing an object on the first window; (b) clicking the object on the first window to initiate an operation of turning over; and (c) dragging the object toward a direction to which the first window is to be turned over so as to unveil a second window that is laid under the first window, enabling a user to peek at content of the second window. (Hiura at col. 2, lines 4-11).

Applicant submits that, contrary to the Office's assertion, on page 3 of the Office action, Hiura does not teach the steps of "detecting a change between active applications running on a computer from a first application to a second application," and "in response to detecting the change between active applications, providing visual notification of the change between active applications by rendering animation graphics to animate a transition between display of the first and second GUI elements," as recited in claim 1. As described in the specification of the instant application, in one embodiment, an application becomes "active" when it is brought to the foreground of a computer's operating system (OS) graphical user interface (GUI). (See, Specification at page 2, lines 22-24, page 5, lines 6-7, and page 6, lines 18-23). For example, FIGS. 2a-2b of the instant application illustrate an OS GUI displaying a window for a word processing application in the foreground and a window for a drawing application in the background. In FIG. 2a, the word processing application is currently active because it is the application that is controlling the text document in the foreground of the OS GUI, while in FIG. 2b, the drawing application is brought to the foreground by selecting the window associated therewith (e.g., by a user-initiated event, such as a mouse click, or the like). (Specification at page 5, lines 9-15).

The specification further provides that, in one embodiment, each time a new application is brought to the foreground, or becomes active, within the OS, an animated effect is presented to the user to indicate this change. (Specification at page 2, lines 22-25). For example, as different applications running on the computer are activated and deactivated by a user, or brought to the foreground and pushed to the background, the menu options in a menu bar GUI element change to display

commands associated with the active application. (Specification at page 5, lines 6-9). Referring to FIGS. 2a-2b, two menu bar GUI elements 32 and 34 are illustrated, which contain functionality related to their respective programs (i.e., the word processing and drawing applications, respectively). (Specification at page 5, lines 19-22). Thus, in one embodiment, an animation is provided during menu bar transitions, such as the during transition illustrated between FIGS. 2a-2b, to provide the user with better notice of such changes, and to provide an aesthetically pleasing transition. (Specification at page 6, line 28 to page 7, line 1). Such animations may occur, for example, not only in response to an application being brought to the foreground, but also in response to the user opening or otherwise activating an application, an application being pushed to the background, or the user quitting or otherwise deactivating an application. (Specification at page 7, lines 2-5).

Hiura, on the other hand, describes initiating a turning over operation in response to a user selecting a first window that is laid over a second window by placing an object on the first window, clicking the object, and dragging the object in a direction in which the first window is to be turned over. (Hiura at col. 2, lines 4-9). In this way, the user can unveil or "peek at" the contents of the second window, which is being covered by the first window. (Hiura at col. 2, lines 9-11). The application of the first window appears to remain active (e.g., the first window remains in the foreground) for the duration of the turning over operation, while the application of the second window appears to remain inactive (e.g., in the second window remains in the background) for the duration of the turning over operation. (See, Hiura at FIGS. 2, 8, 9, 11, 13, 15, 17 and 18). That is, nowhere does Hiura teach that the application of the second window becomes active. Therefore, nowhere does Hiura

teach detecting a change between active applications running on a computer from a first application to a second application. Further, Hiura teaches that the turning over operation is initiated in response to the user placing, clicking, and dragging the object on the first window, not in response to detecting the change between active applications.

For at least these reasons, Applicant submits that Hiura does not anticipate independent claim 1. Accordingly, Applicant respectfully requests that the rejection under 35 U.S.C. §102(e) of claim 1, and of claims 3, 4, 6, 7, and 9-13, which depend therefrom, be withdrawn. Also, for reasons analogous to those presented for claim 1, Applicant submits that Hiura does not anticipate independent claims 14 and 23. Accordingly, Applicant respectfully requests that the rejection under 35 U.S.C. §102(e) of claim 14, claims 16-22, which depend from claim 14, and claim 23 be withdrawn.

Additionally, new independent claim 26 has been added, which recites:

A method for providing a transition between two or more graphical user interface (GUI) elements comprising the steps of:

detecting a change between active applications running on a computer from a first application associated with a first window being displayed on a computer display to a second application associated with a second window;

replacing a first GUI element of the first window associated with the first application with a second GUI element of the second window associated with the second application; and

in response to detecting the change between active applications, providing visual notification of the change between active applications by rendering animation graphics to animate a transition between display of the first and second GUI elements, wherein the animated transition aids user recognition of differences between the first GUI element and the second GUI element.

For reasons analogous to those presented for claim 1, Applicant submits that Hiura does not anticipate claim 26. At a minimum, Hiura does not teach the step of "detecting a change between active applications running on a computer from a first application associated with a first window being displayed on a computer display to a second application associated with a second window." Hiura teaches initiating a turning over operation in response to a user selecting a first window that is laid over a second window by placing an object on the first window, clicking the object, and dragging the object in a direction in which the first window is to be turned over. (Hiura at col. 2, lines 4-9, emphasis added). As described herein, Hiura does not teach detecting a change in active applications or initiating the turning over operation in response to detecting the change in active applications. Further, Hiura teaches that the turning over operation, itself, is an extended feature of a multi-windows type OS. (Hiura at col. 1, lines 62-64). Thus, initiation of the turning over operation would not constitute "a change in active applications" because the turning over operation would already be active as part of the OS running on the computer. Moreover, the turning over operation of Hirua is not associated with a window that is displayed on the computer display and, therefore, does not teach to "a first application associated with a first window being displayed on a computer display" or "a second application associated with a second window."

Accordingly, Applicant submits that Hiura also does not anticipate claim 26, and respectfully requests entry thereof.

Rejection Under 35 U.S.C. §103

Claims 24 and 25 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Hiura in view of U.S. Patent No. 5,724,492 to Matthews III, et al. ("Matthews"). Applicant respectfully traverses. For at least the same reasons presented herein with respect to independent claims 1 and 14, Applicant submits that claims 24 and 25, which depend from claims 1 and 14, respectively, are patentable over Hiura. Also, for at least the same reasons presented in the Amendment filed on February 20, 2007, Applicant submits that Matthews does not supply, nor is Matthews purported to supply, the teachings missing from Hiura.

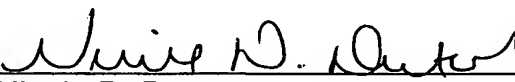
Further, Applicant submits that there would be no reason to combine the method described in Hiura for turning over a window that is laid over another window with the method described in Matthews for displaying control objects that include a plurality of menu panels. In particular, because the menu panels in Matthews form a three-dimensional object, which a user can spin or rotate to reveal the content of other menu panels, the menu panels described in Matthews do not give rise to the problem of overlaid content windows addressed in Hiura. (See, Matthews at Abstract). Accordingly, Applicant respectfully requests that the rejection of claims 24 and 25 under 35 U.S.C. §103(a) over Hiura in view of Matthews be withdrawn.

In the event that there are any questions concerning this paper, or the application in general, the Examiner is respectfully urged to telephone Applicant's undersigned representative so that prosecution of the application may be expedited.

Respectfully submitted,

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